

Rogers et al. v. U.S. Dept. of Health and Human Servs., et al.

Exhibit V

**to Governor Henry McMaster's and Michael Leach's Motion for Summary Judgment and
Memorandum in Support Thereof**

Excerpts from Deposition of Eden Rogers

Eden Rogers
Rogers, Eden, et al v. U.S. Dept. of Health and Hu

May 21, 2021

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION
Civil Action No. 6:19-cv-01567-JD

Eden Rogers, et al.,
Plaintiffs,

vs.

United States Department of Health and Human
Services, et al.,

Defendant.

VIRTUAL

DEPOSITION OF: EDEN ROGERS

DATE: May 21, 2021

TIME: 1:01 p.m.

LOCATION: 222 Rutherford Street
Greenville, South Carolina 29609
TAKEN BY: Counsel for Governor Henry McMaster
REPORTED BY: MICHELLE BAKER LEE,
Certified Court Reporter

1 A Well, I do know that we were definitely up
2 half the night talking about it and struggling over
3 this. But, yes, it does -- does look like that's the
4 case.

5 Q So how did you know who to send it to? How
6 did you have these people's e-mail addresses that
7 quick after you got the e-mail from Miracle Hill?

8 A I suppose that we had already gotten it from
9 Cindy.

10 Q Had you ever talked to any of these people
11 before you applied to Miracle Hill?

12 A I don't know.

13 Q You don't remember?

14 A I don't remember.

15 Q In the e-mail that Sharon Betts sent to
16 you-all that afternoon, I think we counted there were
17 nine bullet points of other private or public agencies
18 that you could have reached out to to apply to be a
19 foster parent. Did you ever reach out to any of
20 those?

21 A No.

22 Q But you wanted to be a foster parent, right?

23 A Still do, yes.

24 Q Well, why haven't you reached out to any of
25 them to become one?

1 open to and welcoming of people of any and all faiths
2 or marital status or orientation; did you look?

3 A I don't remember. It was a long night.

4 Q So you don't remember if either that night
5 or ever after that you've looked to see if there's
6 another agency that would welcome you?

7 A I don't remember.

8 Q You've alleged in your lawsuit that the
9 Governor and the other Defendants have violated the
10 Constitution by funding, by paying Miracle Hill for
11 recruiting and screening only evangelical Christian
12 foster parents, right?

13 A Right.

14 Q And the relief you've asked for in your
15 lawsuit is for the court to order Governor McMaster
16 and the other Defendants to stop funding what you
17 referred to as Miracle Hill's discriminatory
18 recruiting and screening practices; is that right?

19 A Right.

20 Q So if Miracle Hill wasn't being reimbursed
21 by the state or federal government for its recruiting
22 and screening practices then there's no constitutional
23 violation, right?

24 A Can you repeat that, please?

25 Q So if Miracle Hill isn't getting reimbursed

1 for its discriminatory recruiting and screening
2 practices then there's not a constitutional problem or
3 a Constitution violation anymore, is there?

4 A Right.

5 Q Okay.

6 MR. COLEMAN: Well, why don't we take a
7 break there. Let's see. It's 2:52 eastern.
8 And, Susan, I'll tell you, I'm probably -- well,
9 I don't want to over-promise. I'm definitely
10 past the halfway point. I'm probably on sort of
11 the downward slope toward the -- toward the
12 runway. I'm happy to take however long or --
13 well, I'll either take a five-minute break, a
14 ten-minute break, whatever -- whatever would suit
15 everyone. But just in terms of timing, I bet
16 I'll probably take maybe another 45 minutes or so
17 and I think I'll probably be wrapped up. Do you
18 think five minutes or do you want to take ten --
19 maybe ten minutes is better just to give everyone
20 time to take care of --

21 MS. DUNN: Yeah, why don't we say ten.

22 MR. COLEMAN: Okay. We'll be back around
23 3 -- about 3:02?

24 MS. DUNN: Okay.

25 MR. COLEMAN: Okay. Sounds good.